

IA No. 04/23 in SC 58595/2016
STATE Vs. PARVEEN ETC.
FIR NO. 810 /2015
PS Alipur
U/s 302/201/34 IPC

27.05.2023

This is an application under Section 439 Cr.P.C. for grant of bail moved on behalf of applicant/accused Akash.

Present:- Mr. A.B. Asthana, Ld. Additional PP for the State.

Mr. Yogesh Pandey, ld. Counsel for applicant/accused along with applicant/accused in person on interim bail.

Further arguments heard.

1. Briefly stated, the present FIR had been registered under Section 302/201/34 IPC. That on 08.09.2015 an information was received through PCR call at 7.15 a.m. mentioning that a missing report was lodged regarding brother of the caller and dead body of his brother was found in forest area behind Govt. School Mukhmailpur, Delhi. That on receipt of call police rushed to the spot where the body of deceased was found in highly decomposed state and there was blood over the face of the dead body and the face of the body was throttled with a heavy stone lying near the body. The deceased was identified as Jasbir by his brother.

2. It is argued by Ld. Counsel for the applicant/accused that accused has been falsely implicated in the present case. That the investigation is complete and charge sheet has also been filed. That accused is ready to abide by all the terms and conditions. It is prayed that a lenient view be taken.

3. Ld. Additional PP for the State vehemently opposed the bail application submitting that the allegations levelled against the applicant/accused are very serious in nature.

4. Heard. Record perused.

5. The accused was enlarged on interim bail under Hon'ble HPC due to Covid-19 pandemic. The investigation is already complete and chargesheet has already been filed and trial is already concluded. There is nothing to suggest that applicant/accused has misused the liberty already granted to him during the period of interim bail. Accused has duly surrendered thereafter. No fruitful purpose would be served in keeping the accused behind custody any further.

6. Seeing the facts and circumstances of the case and in view of the above discussion, taking a lenient view, the applicant/accused **Akash is hereby enlarged on bail on furnishing of bail bond for a sum of Rs.25,000/- with one surety of the like amount, who is permanent resident of Delhi/NCR, to the satisfaction of concerned Ld. MM/Link MM/Duty MM** but subject to the following conditions:

- (a) The applicant/accused shall attend the court proceedings regularly.
- (b) That in case of change of his residential addresses, he shall intimate the Court about the same.
- (c) The accused shall not leave the country without prior permission of the Court.
- (d) The accused shall not indulge into similar offence in the event of release on bail.
- (e) The applicant/accused shall not try to contact

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or influence the witnesses, in any manner, directly or indirectly.

Accordingly, the application is disposed off.

7. ***It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.***

8. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
27.05.2023